

Resolution No. 2017-3

RESOLUTION AUTHORIZING SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE PURSUANT TO LOCAL FINANCE NOTICE 2008-9 DATED APRIL 28, 2008

WHEREAS, the Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use pursuant to N.J.S.A. 40A:11-36; and

WHEREAS, the Board has determined that the estimated fair value of the property being sold exceeds fifteen percent (15%) of the bid threshold in any one sale; and

WHEREAS, in such case, N.J.S.A. 40A:11-36 provides that said property shall be sold at public sale to the highest bidder; and

WHEREAS, "The Local Unit Technology Pilot Program and Study Act" (P.L. 2001, c. 30) authorized the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, intends to utilize the online auction services of GovDeals.com, Inc., located at "GovDeals.com"; and

WHEREAS, the sale is being conducted pursuant to the Division of Local Government Services, Local Finance Notice 2008-9.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, that it hereby authorize the sale of surplus personal property as set forth on Schedule A attached hereto and incorporated herein on the online auction website entitled GovDeals.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the Agreement entered into between the Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, and GovDeals.com, Inc., are available at "GovDeals.com" and in the District Clerk's office; and

BE IT FURTHER RESOLVED, that notice of the sale shall be published at least once in the District's Legal Newspaper (The Asbury Park Press) not less than seven (7) nor more than fourteen (14) days prior to the sale; and

BE IT FURTHER RESOLVED, that a certified signed, conformed and compared copy of this Resolution will be forwarded to the New Jersey Department of Community Affairs, Division of Local Government Services; and

BE IT FURTHER RESOLVED, that the within Resolution shall be effective immediately upon passage; and

BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith is hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase in this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board bylaws, township ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

BE IT FURTHER RESOLVED, that an original signed, conformed and compared copy of this Resolution be accessible and maintained as an official Board record pursuant to and in accordance with the "Open Public Records Act"; N.J.S.A. 47:1A-1, *et seq.* and the "Destruction of Public Records Law (1953)"; N.J.S.A. 47:3-8.1, *et seq.* as set forth by the State of New Jersey Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management.

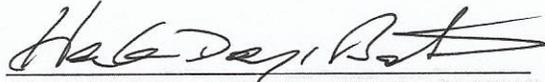
CERTIFICATION

I, HARLON DARYL BAUTER, Clerk of the Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true and compared copy of an original Resolution now on file and of record in the District office which was duly adopted at a public meeting held on the 22nd day of February, 2017.

I do further certify that the said Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, is composed of - 5 - members, and that -
- members were present and - - members voted affirmatively for the adoption of the Resolution and
- - members voted against the adoption of the Resolution.

The undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, on this 22nd day of February, 2017.



HARLON DARYL BAUTER, CLERK
Board of Fire Commissioners
Fire District No. 2
Township of Wall

SCHEDULE A

Resolution No. 2017-4

RESOLUTION AUTHORIZING CLOSED SESSION
PURSUANT TO N.J.S.A. 10:4-12 AND 13

WHEREAS, Chapter 231 Public Law of 1975 as amended (N.J.S.A. 10:4-6 et seq.), known and cited as the “Senator Bryan M. Baer Open Public Meetings Act”, also known as the “Sunshine Law”, authorizes a public body to meet in closed session (exclude the public) under certain limited circumstances; and

WHEREAS, said Act (N.J.S.A. 10:4-13) requires the Board to adopt a resolution at a public meeting before it can meet in closed session.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, that the public body has determined:

1. That it is necessary to meet in closed session, under N.J.S.A. 10:4-12(b)(8), on the 22nd day of February, 2017, to discuss “personnel”; and
2. That the matter(s) discussed will be made public if and when confidentiality is no longer required and action pursuant to said discussion shall take place only at a meeting open to the public; and

BE IT FURTHER RESOLVED, that the within Resolution shall be effective immediately upon passage; and

BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith is hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase in this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board bylaws, township ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

BE IT FURTHER RESOLVED, that an original signed, conformed and compared copy of this Resolution be accessible and maintained as an official Board record pursuant to and in accordance with the “Open Public Records Act”; N.J.S.A. 47:1A-1, *et seq.* and the “Destruction of

Public Records Law (1953)”; N.J.S.A. 47:3-8.1, *et seq.* as set forth by the State of New Jersey Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management.

CERTIFICATION

I, **HARLON DARYL BAUTER**, Clerk of the Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true and compared copy of an original Resolution now on file and of record in the District office which was duly adopted at a public meeting held on the 22nd day of February, 2017.

I do further certify that the said Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, is composed of - 5 - members, and that -5- members were present and -5- members voted affirmatively for the adoption of the Resolution and - 0 - members voted against the adoption of the Resolution.

The undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Fire Commissioners of Fire District No. 2, Township of Wall, County of Monmouth, State of New Jersey, on this 22nd day of February, 2017.

HARLON DARYL BAUTER, CLERK
Board of Fire Commissioners
Fire District No. 2
Township of Wall